

**IIN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ALABAMA  
JASPER DIVISION**

<b>KIMBERLY VAUGHN,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No.:</b> _____
	)	
<b>AUTO-OWNERS INSURANCE</b>	)	
<b>COMPANY,</b>	)	
	)	
<b>Defendants.</b>	)	

**COMPLAINT**

**COMES NOW** the Plaintiff, Kimberly Vaughn (“Plaintiff”), and for her Complaint against Defendant Auto-Owners Insurance Group (“Auto-Owners”) and separately and severally alleges and avers as follows:

**PARTIES**

1. Plaintiff Kimberly Vaughn is an adult over the age of nineteen years who is a United States citizen residing in Marion County, Alabama, and at all times relevant and material to the acts, omissions, occurrences, and events made the basis of this Complaint was a resident of Marion County, Alabama.
2. Defendant Auto-Owners Insurance Group is, and at all times relevant

and material to the acts, omissions, occurrences, and events made the basis of this Complaint was, a corporation organized and existing under the laws of the State of Michigan, with a principal place of business in Lansing, Michigan.

3. This Court has proper jurisdiction over this matter pursuant to 28 U.S.C § 1391(b)(2) because the acts, occurrences, events, and omissions giving rise to the Plaintiff's claims against the Defendant occurred in and around Marion County, Alabama, which is located in the Northern District of Alabama.

### **FACTUAL ALLEGATIONS**

4. On or about June 23, 2020, Plaintiff was traveling eastbound on County Highway 69 in Marion County, Alabama when a green pickup truck traveling westbound swerved into her lane. In order to avoid a collision with the pickup truck, Plaintiff swerved to the right, causing her to run off the road and strike a power pole.
5. Immediately following the accident, the driver of the truck fled the scene, and the identity of said driver has not been discovered.
6. As a proximate result of the automobile accident made the basis of this lawsuit, Plaintiff suffered and incurred severe and permanent

injuries. Plaintiff suffered injuries to her neck, back, and body as a whole.

**COUNT ONE**  
**(UNINSURED/UNDERINSURED MOTORISTS CLAIM)**

7. Plaintiff adopts and realleges all prior paragraphs of the Complaint as if set forth fully herein.
8. On or about June 23, 2020, Plaintiff was holder of a policy of automobile insurance with Defendant Auto-Owners, which policy was in full force and effect at all times pertinent hereto.
9. The policy contained the provision which protected Plaintiff against damages caused by an uninsured/underinsured motorist. Plaintiff avers this was described as coverage called "Uninsured/Underinsured Motorists" and provided in substance that the company will pay all sums which the insured shall be legally entitled to recover as damages from the owner or operator of an uninsured/underinsured automobile because of bodily injury, sickness or disease, including death resulting there from, sustained by the Insured, caused by accident and arising out of the ownership, maintenance, or use of such uninsured/underinsured automobile.
10. Defendant Auto-Owners has had due notice that Plaintiff was

pursuing an uninsured/underinsured motorist claim. As a proximate result of the accident made the basis of this lawsuit, Plaintiff suffered the injuries and damages hereinabove described.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff demands from Defendant Auto-Owners, the uninsured/underinsured motorist coverage to its fullest limit under said policy.

s/Robert O. Bryan  
Robert O. Bryan (BRY022)  
Nelson, Bryan & Cross  
Attorneys for Plaintiff  
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205-387-7777

**SERVE DEFENDANTS VIA CERTIFIED MAIL:**

**AUTO OWNERS INSURANCE COMPANY  
CT CORPORATION SYSTEM  
2 NO JACKSON ST STE 605  
MONTGOMERY, AL 36104**